

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

MEMBERS:  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Morey L. Sear  
United States District Court  
Eastern District of Louisiana

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States Court of Appeals  
Sixth Circuit

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

DIRECT REPLY TO:

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
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August 14, 2002

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: September 26, 2002

LOCATION OF HEARING SESSION: Mark O. Hatfield United States  
Courthouse  
Courtroom 13B, 13th Floor  
1000 Southwest Third Avenue  
Portland, OR 97204-2902

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **September 9, 2002**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

Michael J. Beck  
Clerk of the Panel

c: Clerk, U.S. District Court for the District of Oregon

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION  
FILED

AUG. 14, 2002

MICHAEL J. BECK  
CLERK OF THE PANEL

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, MOREY L. SEAR,  
BRUCE M. SELYA, JULIA SMITH GIBBONS, D. LOWELL JENSEN AND J.  
FREDERICK MOTZ, JUDGES OF THE PANEL***

**HEARING SESSION ORDER**

IT IS ORDERED that on September 26, 2002, a hearing session will be held in Portland, Oregon, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



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Wm. Terrell Hodges  
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION  
September 26, 2002 -- Portland, Oregon

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

MDL-997 -- In re Brand-Name Prescription Drugs Antitrust Litigation

Oppositions of The Designated Manufacturer and The Non-Designated Manufacturer defendants to remand of the Robinson-Patman Act claims of certain identified plaintiffs in the following actions to their respective transferor courts:

Northern District of Illinois

*Allard's Bell Park Pharmacy, Inc., et al. v. Abbott Laboratories, et al.*,  
C.A. No. 1:95-2582 (D. Connecticut, C.A. No. 3:94-1995)  
*Mims Pharmacy, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-3266  
(M.D. Florida C.A. No. 6:95-336)  
*Anthony B. Meadows, et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-37  
(S.D. Georgia, C.A. No. 5:94-85)  
*Ace Pharmacy, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-2934  
(S.D. Georgia, C.A. No. 5:95-24)  
*Austin Pharmacy, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-741  
(S.D. Indiana, C.A. No. 1:94-1966)  
*RX Center, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:94-7816  
(E.D. North Carolina, C.A. No. 5:94-807)  
*Bi-Wise Pharmacy, et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-1866  
(E.D. New York, C.A. No. 1:95-402)  
*Drug Mart Pharmacy Corp., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:995-3142  
(E.D. New York, C.A. No. 1:95-1292)  
*Al Tell Pharmacy & Gift Shoppe, Inc. v. Abbott Laboratories, Inc., et al.*,  
C.A. No. 1:95-1668 (N.D. Ohio, C.A. No. 4:94-2665)  
*Albertson's Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:94-3669 (S.D. Ohio,  
C.A. No. 1:94-160)  
*2401 E. York St., Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:94-7272  
(M.D. Pennsylvania, C.A. No. 1:94-1694)  
*Rite Aid Corp., et al. v. American Home Products Corp., et al.*, C.A. 1:941200  
(M.D. Pennsylvania, C.A. No. 4:93-1580)  
*Savitz Drug Store, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-3215  
(D. South Carolina, C.A. No. 2:95-869)

MDL-997 (Continued)

Northern District of Illinois (Continued)

*Malley's Pharmacy, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:94-2650  
(E.D. Texas, C.A. No. 1:94-97)

*Sunny Chin, et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-2711 (S.D. Texas,  
C.A. No. 3:95-167)

*Marshall Pharmacies, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-2931  
(E.D. Virginia, C.A. No. 3:95-240)

*4 W's, Inc., et al. v. Abbott Laboratories, et al.*, C.A. No. 1:95-796  
(W.D. Washington, C.A. No. 2:94-1767)

MDL-1274 -- In re Gemstar Development Corporation Patent Litigation

Opposition of defendant Thomson Consumer Electronics, Inc., and CounterPlaintiff Thomson Multimedia, Inc., to the Panel's order i) conditionally transferring the following action to the United States District Court for the Northern District of Georgia, and ii) simultaneously remanding certain claims in the action to the District of Delaware:

District of Delaware

*Pegasus Development Corp., et al. v. DIRECTV, Inc., et al.*, C.A. No. 1:00-1020

MDL-1303 -- In re Copper Antitrust Litigation

Motion of defendants Sumitomo Corporation, Sumitomo Corporation of America, Global Minerals and Metals Corporation, R. David Campbell, and Bipin Shah to transfer the following action to the United States District Court for the Western District of Wisconsin:

Southern District of New York

*Herbert Black v. Sumitomo Corp., et al.*, C.A. No. 1:02-2671

MDL-1337 -- In re Holocaust Era German Industry, Bank & Insurance Litigation

Opposition of defendant Assicurazioni Generali S.p.A. (Assicurazioni) to remand of all claims in the following action to the United States District Court for the Central District of California; and motion by Assicurazioni for retransfer of the action to the United States District Court for the Southern District of New York, followed by remand of all claims in the action except those asserted against Assicurazioni:

District of New Jersey

*Chava Steiner Anderman, et al. v. Federal Republic of Austria, et al.*, C.A. No. 2:01-5862 (C.D. California, C.A. No. 2:01-1769)

MDL-1484 -- In re Merrill Lynch & Co., Inc., Research Reports Securities Litigation

Motion of defendants Merrill Lynch & Company, Inc., and Merrill Lynch, Pierce, Fenner & Smith, Inc., for centralization of the following actions in the United States District Court for the Southern District of New York:

District of New Jersey

*William C. Ciemny v. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al.*,  
C.A. No. 1:02-2576

Southern District of New York

*In re Merrill Lynch InfoSpace Analyst Reports Securities Litigation*,  
C.A. No. 1:01-6881

*Sandra Blair, et al. v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3042

*Lou A. Murphy v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3050

*Aaron Priest v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3189

*Abraham Twersky Family Trust v. Merrill Lynch & Co., Inc., et al.*,  
C.A. No. 1:02-3210

*Jack B. McBride v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3252

*John Deleo v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3321

*Leonard Corwin v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3366

*Roger Matthews, et al. v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3371

*Dwight Corkins v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3372

MDL-1484 (Continued)

Southern District of New York (Continued)

*Jason Silver v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3394  
*Jon M. Rosenbaum v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3410  
*James Crowdus v. Merrill Lynch & Co. Inc., et al.*, C.A. No. 1:02-3417  
*Sanjay Israni v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3418  
*Frank J. Vonder Haar v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3429  
*Harold Ducharme v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3431  
*Bernd Toennesmann v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3466  
*Michael M. Moore v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3509  
*Wayne Boyce v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3510  
*Ira Atlas v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3513  
*David Foushee v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3599  
*Giuseppe Coppola v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3600  
*Steven Wald v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3606  
*Bernd Toennesmann v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3634  
*Turgut Ergun v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3675  
*Daniel R. Gerrity v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3690  
*Doug Seindenburg v. Merrill Lynch & Co. Inc., et al.*, C.A. No. 1:02-3714  
*Paul Hesano v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3715  
*Robert Rueben v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3759  
*Victor Parker, etc. v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3835  
*Jason Cho v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3882  
*Fredell D. Williams v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3934  
*Seth B. Marks v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-3975  
*Elisha Ciccarelli v. Merrill Lynch Co., Inc.*, C.A. No. 1:02-4051  
*Dean E. Hart v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-4058  
*Stephen A. McKernan v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-4140  
*Steven Smith v. Merrill Lynch & Co., Inc.*, C.A. No. 1:02-4205  
*J. James Walsh v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-4228  
*Samuel Sinay, et al. v. Merrill Lynch & Co., Inc., et al.*, C.A. No. 1:02-4237

Western District of Oklahoma

*Shadi Dabit v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, C.A. No. 5:02-564

MDL-1484 (Continued)

Western District of Texas

*William A. Clearly v. Merrill Lynch Securities*, C.A. No. 5:02-364

Western District of Washington

*John Horton, et al. v. InfoSpace Inc., et al.*, C.A. No. 2:01-913

MDL-1485 -- In re Standard Life Insurance Co. of Indiana/The Fiorini Agency Sales Practices  
Litigation

Motion of Standard Life Insurance Company of Indiana for centralization of the following actions in the United States District Court for the Southern District of Indiana or the United States District Court for the Southern District of Ohio:

Southern District of Indiana

*Standard Life Insurance Co. of Indiana v. The Fiorini Agency, Inc., et al.*,  
C.A. No. 1:02-502

Eastern District of Kentucky

*Fred Macke, et al. v. Standard Life Insurance Co. of Indiana*, C.A. No. 2:02-69

Southern District of Ohio

*Mildred W. Finch, et al. v. George Fiorini, et al.*, C.A. No. 1:02-132

MDL-1486 -- In re Dynamic Random Access Memory (DRAM) Antitrust Litigation

Motion of plaintiff Internet Integration, Inc., for centralization of the following actions in the United States District Court for the Northern District of California:

Northern District of California

*Internet Integration, Inc. v. Micron Technology, Inc., et al.*, C.A. No. 3:02-3196

Southern District of New York

*Gregory M. Nespole, et al. v. Micron Technology, Inc., et al.*, C.A. No. 1:02-4798

MDL-1487 -- In re WorldCom, Inc., Securities & "ERISA" Litigation

Motion of plaintiff Kenneth Z. Slater, Trustee of the Kendall Trust, for centralization of certain of the following actions in the United States District Court for the Southern District of Mississippi; motion of plaintiffs Patrick Emanuele, et al., for centralization of certain of the following actions in the United States District Court for the District of District of Columbia; and motion of defendants Clifford Alexander, Jr.; James C. Allen; Judith Areen; Carl Aycock; Max E. Bobbitt; Francesco Galesi; Stiles A. Kellett, Jr.; Gordon S. Macklin; John A. Porter; Bert C. Roberts, Jr.; John W. Sidgmore; and Lawrence C. Tucker for centralization of certain of the following actions in the United States District Court for the Southern District of New York or the United States District Court for the Southern District of Mississippi:

Northern District of California

*Stephen Vivien, et al. v. WorldCom, Inc., et al.*, C.A. No. 3:02-1329

District of District of Columbia

*Patrick Emanuele, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-1353

Southern District of Florida

*Kim Y. Bracey v. WorldCom, Inc., et al.*, C.A. No. 9:02-80561

*Paula K. Hobson v. WorldCom, Inc., et al.*, C.A. No. 9:02-80602



MDL-1487 (Continued)

Southern District of Mississippi

*Jeremy Oran, et al. v. WorldCom, Inc., et al.*, C.A. No. 3:02-484  
*Judy Wilson Rambo, et al. v. WorldCom, Inc., et al.*, C.A. No. 3:02-1088  
*Kenneth Z. Slater, etc. v. WorldCom, Inc., et al.*, C.A. No. 3:02-1092  
*William Goldstein v. Bernard J. Ebberts, et al.*, C.A. No. 3:02-1141  
*Genotra Cornish v. WorldCom, Inc., et al.*, C.A. No. 3:02-1144  
*Wendell C. Williams v. WorldCom, Inc., et al.*, C.A. No. 3:02-1145  
*Ghita Levine v. WorldCom Corp., et al.*, C.A. No. 3:02-1146  
*Sherman Oliver v. WorldCom, Inc., et al.*, C.A. No. 3:02-1150  
*Estinika McGlothin v. WorldCom, Inc., et al.*, C.A. No. 3:02-1151  
*James R. Mueller, et al. v. WorldCom, Inc., et al.*, C.A. No. 3:02-1156  
*Tina Langley Lyons v. WorldCom, Inc., et al.*, C.A. No. 3:02-1158  
*Pacific Income Advisors, Inc. v. WorldCom, Inc., et al.*, C.A. No. 3:02-1168

Southern District of New York

*B.R. Guest, Inc. v. WorldCom, Inc.*, C.A. No. 1:02-2775  
*Albert Fadem Trust, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-3288  
*Michael Bamdis v. WorldCom, Inc., et al.*, C.A. No. 1:02-3416  
*Brian Barry v. WorldCom, Inc., et al.*, C.A. No. 1:02-3419  
*Beverly Schreck, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-3508  
*David Crum v. WorldCom, Inc., et al.*, C.A. No. 1:02-3537  
*David Kramer v. WorldCom, Inc., et al.*, C.A. No. 1:02-3647  
*Steven Brakl v. WorldCom, Inc., et al.*, C.A. No. 1:02-3750  
*Davon Group, Ltd. v. WorldCom, Inc., et al.*, C.A. No. 1:02-3771  
*James R. Garner v. Salomon Smith Barney, Inc., et al.*, C.A. No. 1:02-4038  
*Marjorie Spangler v. Salomon Smith Barney, Inc., et al.*, C.A. No. 1:02-4087  
*Robin Hodes Jacobs, etc. v. WorldCom, Inc., et al.*, C.A. No. 1:02-4719  
*Gail M. Grenier, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-4816  
*Shereen Beydoun v. WorldCom Group, Inc., et al.*, C.A. No. 1:02-4945  
*Eric Edwards, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-4946  
*Maurice Brodsky v. WorldCom, Inc., et al.*, C.A. No. 1:02-4958  
*Nicholas Federicka, et al. v. WorldCom, Inc., et al.*, C.A. No. 1:02-4973  
*Above Paradise Investments, Ltd. v. WorldCom, Inc., et al.*, C.A. No. 1:02-4990  
*Frank D. Seinfeld v. James C. Allen, et al.*, C.A. No. 1:02-5018  
*Ronnie Ribnick v. WorldCom, Inc., et al.*, C.A. No. 1:02-5057

MDL-1487 (Continued)

Southern District of New York (Continued)

*Robert D. Jaffee Revocable Trust v. WorldCom, Inc., et al.*, C.A. No. 1:02-5071

*Gary Ginsburg v. WorldCom, Inc., et al.*, C.A. No. 1:02-5087

*Jeffrey R. Applebaum v. WorldCom, Inc., et al.*, C.A. No. 1:02-5108

*John T. Alexander v. WorldCom, Inc., et al.*, C.A. No. 1:02-5140

*Robert Weiss v. WorldCom, Inc., et al.*, C.A. No. 1:02-5224

*Municipal Police Employees Retirement System of Louisiana v. WorldCom, Inc., et al.*,  
C.A. No. 1:02-5285

MDL-1488 -- In re Ford Motor Co. Crown Victoria Police Interceptor Products Liability  
Litigation

Motion, as amended, of defendants Ford Motor Company; Warnock Ford, Inc.; Charlie Thomas' Courtesy Ford, Inc.; Tradewinds Ford Sales, Inc.; Bob Lacy Ford, Inc.; and Central Ford Center, Inc., for centralization of the following actions in the United States District Court for the District of New Jersey, the United States District Court for the Southern District of Texas, the United States District Court for the Eastern District of Pennsylvania or the United States District Court for the Western District of Arkansas:

Western District of Arkansas

*City of Malvern, Arkansas, et al. v. Ford Motor Co., Inc., et al.*, C.A. No. 6:02-6148

District of New Jersey

*City of New Brunswick, et al. v. Ford Motor Co., et al.*, C.A. No. 2:02-3275

Eastern District of Pennsylvania

*Montgomery Township, et al. v. Ford Motor Co.*, C.A. No. 2:02-4710

*Montgomery Township, et al. v. Ford Motor Co.*, C.A. No. 2:02-5815

Southern District of Texas

*Nueces County, Texas v. Ford Motor Co., et al.*, C.A. No. 2:02-297

MDL-1490 -- In re Commercial Money Center, Inc., Equipment Lease Litigation

Motion by Royal Indemnity Company for centralization of certain of the following actions in the United States District Court for the Southern District of California or the United States District Court for the District of Nevada; Order to Show Cause why the following actions should not be transferred to the United States District Court for the Southern District of California, the United States District Court for the District of Nevada or some other federal district court:

Southern District of California

*RLI Insurance Co., et al. v. Commercial Money Center, Inc., et al.*,  
C.A. No. 3:02-192  
*Royal Indemnity Co., Inc. v. Commercial Money Center, et al.*, C.A. No. 3:02-199  
*American Motorists Insurance Co. v. Commercial Money Center, Inc., et al.*,  
C.A. No. 3:02-218  
*Safeco Insurance Co. of America v. Commercial Money Center, Inc., et al.*,  
C.A. No. 3:02-308

Northern District of Georgia

*NetBank, FSB v. Commercial Money Center, Inc., et al.*, C.A. No. 1:02-984

Southern District of Indiana

*Ameriana Bank & Trust SB v. RLI Insurance Co.*, C.A. No. 1:02-557

District of Nevada

*Commercial Servicing Corp., et al. v. Ace INA Holdings, Inc., et al.*,  
C.A. No. 2:01-684  
*Commercial Money Center, Inc., et al. v. Ace INA Holdings, Inc., et al.*,  
C.A. No. 2:01-685  
*Anthony & Morgan Surety and Insurance Services Inc., et al. v. Ace American Insurance Co., et al.* C.A. No. 2:02-416  
*Citibank, N.A., et al. v. Illinois Union Insurance Co., et al.*, C.A. No. 2:02-589

MDL-1490 (Continued)

District of New Jersey

*Lakeland Bank v. RLI Insurance Co., et al.*, C.A. No. 2:02-2557

Northern District of Ohio

*Metropolitan Bank & Trust Co. v. Royal Indemnity Co.*, C.A. No. 1:02-570

*Sky Bank v. RLI Insurance Co.*, C.A. No. 1:02-774

*Bank One, N.A. v. Safeco Insurance Co. of America*, C.A. No. 1:02-876

*Second National Bank of Warren v. Illinois Union Insurance Co.*, C.A. No. 1:02-914

*Sky Bank v. Illinois Union Insurance Co.*, C.A. No. 1:02-915

*Huntington National Bank v. American Motorists Insurance Co., et al.*,  
C.A. No. 1:02-940

*Huntington National Bank v. Royal Indemnity Co.*, C.A. No. 1:02-1020

*Sky Bank v. Royal Indemnity Co.*, C.A. No. 1:02-1072

*First Merit Bank, N.A. v. Safeco Insurance Co. of America*, C.A. No. 1:02-1171

*Provident Bank v. Safeco Insurance Co. of America*, C.A. No. 1:02-1179

*Second National Bank of Warren v. Royal Indemnity Co.*, C.A. No. 1:02-1344

Northern District of Texas

*Bluebonnet Savings Bank, FSB v. Royal Indemnity Co.*, C.A. No. 3:02-853

MDL-1491 -- In re African-American Slave Descendants Litigation

Motion of plaintiffs Richard E. Barber, Sr.; Deadria Farmer-Paellmann; Andre Carrington; and Mary Lacey Madison for centralization of the following actions in the United States District Court for the Eastern District of New York:

District of New Jersey

*Richard E. Barber, Sr. v. New York Life Insurance Co., et al.*, C.A. No. 2:02-2084

MDL-1491 (Continued)

Eastern District of New York

*Deadria Farmer-Paellmann v. FleetBoston Financial Corp., et al.*, C.A. No. 1:02-1862

*Andre Carrington v. FleetBoston Financial Corp., et al.*, C.A. No. 1:02-1863

*Mary Lacey Madison v. FleetBoston Financial Corp., et al.*, C.A. No. 1:02-1864

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL-865 -- In re Showa Denko K.K. L-Tryptophan Products Liability Litigation (No. II)

Opposition of plaintiffs Lori Blaquiere and Michael Stephen Zarlenga to remand of the following actions to the United States District Court for the District of Rhode Island:

District of South Carolina

*Lori Blaquiere v. Showa Denko K.K., et al.*, C.A. No. 3:96-361 (D. Rhode Island, C.A. No. 1:95-629)

*Michael Stephen Zarlenga v. Showa Denko K.K., et al.*, C.A. No. 3:97-3590  
(D. Rhode Island, C.A. No. 1:97-349)

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Louisiana

*Darrell Dillon, et al. v. Kaiser Aluminum & Chemical Corp., et al.*,  
C.A. No. 2:02-1445

Middle District of Louisiana

*Barbara Catania, et al. v. ACandS, Inc., et al.*, C.A. No. 3:02-368

District of New Mexico

*Procopio A. Martinez, et al. v. A.P. Green Industries, Inc., et al.*, C.A. No. 1:02-398  
*George Baca, et al. v. A.P. Green Industries, Inc., et al.*, C.A. No. 1:02-506

MDL-875 (Continued)

District of New Mexico (Continued)

*Tony G. Chavez, et al. v. A.P. Green Industries, Inc., et al.*, C.A. No. 1:02-515  
*Leon Chavez, et al. v. A.P. Green Industries, Inc., et al.*, C.A. No. 1:02-517  
*Willis D. Hardy, et al. v. Asbestos Claims Management Corp., et al.*,  
C.A. No. 1:02-518  
*Robert A. Biel, et al. v. ACandS, Inc., et al.*, C.A. No. 1:02-519  
*William P. Amon, et al. v. ACandS, Inc., et al.*, C.A. No. 1:02-520  
*Aurelio A. Saiz v. ACandS, Inc., et al.*, C.A. No. 1:02-521  
*Richard Ortiz, et al. v. Asbestos Claims Management Corp., et al.*, C.A. No. 1:02-522  
*Jackie Litten v. ACandS, Inc., et al.*, C.A. No. 6:02-516

District of South Carolina

*Eugene Collins, et al. v. Uniroyal, Inc., et al.*, C.A. No. 2:02-1732

Eastern District of Texas

*Colleen Carter, et al. v. ACandS, Inc., et al.*, C.A. No. 3:02-9

Southern District of Texas

*Laura Madden, etc. v. Able Supply Co., et al.*, C.A. No. 3:02-194

Western District of Texas

*Diane Mathias, etc. v. ACandS, Inc., et al.*, C.A. No. 3:01-380

MDL-1105 -- In re New England Mutual Life Insurance Company Sales Practices Litigation

Opposition of plaintiffs Michele Grispino, et al., to transfer of the following action to the United States District Court for the District of Massachusetts:

Eastern District of Pennsylvania

*Michele Grispino, et al. v. New England Mutual Life Insurance Co., et al.*,  
C.A. No. 2:02-3509

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products  
Liability Litigation

Oppositions of plaintiffs Roy Lathan, et al.; Cynthia Howard, et al.; and Mark Pare to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Middle District of Florida

*Roy Lathan, et al. v. Wyeth Co., et al.*, C.A. No. 6:02-445

Northern District of Mississippi

*Cynthia Howard, et al. v. American Home Products Corp., et al.*, C.A. No. 4:02-99

Southern District of Mississippi

*Nena Williams, et al. v. American Home Products Corp., et al.*, C.A. No. 5:02-130

Motion of defendants Davis & Feder, P.A.; Ronald M. Feder; Mark W. Davis; and Beverly Holder to transfer the following action to the United States District Court for the Eastern District of Pennsylvania:

Southern District of Alabama

*Starlett Williams v. Davis & Feder, et al.*, C.A. No. 1:02-188



MDL-1214 -- In re Great Southern Life Insurance Company Sales Practices Litigation

Oppositions of plaintiffs Rachael Webb, et al., and Karen Reid to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Northern District of Mississippi

*Rachael Webb, et al. v. Great Southern Life Insurance Co., et al.*, C.A. No. 4:02-131  
*Karen Reid v. Great Southern Life Insurance Co., et al.*, C.A. No. 4:02-137

MDL-1332 -- In re Microsoft Corp. Windows Operating Systems Antitrust Litigation

Opposition of plaintiff Pradeep Sujan to transfer of the following action to the United States District Court for the District of Maryland:

Central District of California

*Pradeep Sujan v. Microsoft Corp.*, C.A. No. 2:02-2827

MDL-1337 -- In re Holocaust Era German Industry, Bank & Insurance Litigation

Opposition of plaintiffs Ursula Ungaro-Benages, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Southern District of Florida

*Ursula Ungaro-Benages, et al. v. Terex Corp., et al.*, C.A. No. 1:02-20744

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Northern District of Mississippi

*Barbara Ryan v. Warner-Lambert Co., et al.*, C.A. No. 1:02-157  
*Martha Gregory, et al. v. Parke-Davis, et al.*, C.A. No. 1:02-159  
*Bernice Kimble, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:02-104  
*Roosevelt Jeffries v. Warner-Lambert Co., et al.*, C.A. No. 3:02-70

Southern District of Mississippi

*Bobbie Jean Redmond, etc. v. Parke-Davis, et al.*, C.A. No. 3:02-418  
*Evelyn Davis v. Warner-Lambert Co., et al.*, C.A. No. 3:02-450  
*Carolyn Russell v. Warner-Lambert Co., et al.*, C.A. No. 4:02-121  
*Sam McQuirter v. Warner-Lambert Co., et al.*, C.A. No. 5:02-123  
*Florence Harvard v. Warner-Lambert Co., et al.*, C.A. No. 5:02-135  
*Oscar Henderson v. Warner-Lambert Co., et al.*, C.A. No. 5:02-137  
*Velma Sims v. Warner-Lambert Co., et al.*, C.A. No. 5:02-138  
*Jessie Cameron v. Warner-Lambert Co., et al.*, C.A. No. 5:02-139  
*Michael Henderson v. Warner-Lambert Co., et al.*, C.A. No. 5:02-140

Eastern District of Texas

*Sandra Ruiz v. Warner-Lambert Co., et al.*, C.A. No. 1:02-305

Southern District of Texas

*Cynthia Hernandez v. Pfizer, Inc., et al.*, C.A. No. 2:02-208  
*Leslie Collins, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:02-1682  
*Rodney Allen, et al. v. Warner-Lambert Co., et al.*, C.A. No. 3:02-291  
*Lori Branford, et al. v. Warner-Lambert Co., et al.*, C.A. No. 4:02-1649  
*John Allison, et al. v. Warner-Lambert Co., et al.*, C.A. No. 7:02-173

Southern District of West Virginia

*Dorothy Layner, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:02-233  
*Christine Elaine Karantonis, etc. v. Warner-Lambert Co., et al.*, C.A. No. 3:02-459

MDL-1371 -- In re Monumental Life Insurance Company Industrial Life Insurance Litigation

Opposition of plaintiffs Mary Finch and Christine Lofton to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Illinois

*Mary Finch v. Monumental Life Insurance Co., et al.*, C.A. No. 1:02-3984  
*Christine Lofton v. Commonwealth Life & Accident Insurance Co., et al.*,  
C.A. No. 1:02-3987

Motion of defendant Jefferson-Pilot Life Insurance Company to transfer the following action to the United States District Court for the Eastern District of Louisiana:

District of South Carolina

*Rosa Belle Thorn, et al. v. Jefferson Pilot Life Insurance Co.*, C.A. No. 3:00-2782

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Oppositions of plaintiffs Victor Bermudez; Stephanie Haack; Richard E. Negri; and Ricardo Hernandez Castellanos, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

District of Arizona

*Victor Bermudez v. Bridgestone/Firestone, Inc., et al.*, C.A. No. 2:01-1362

Northern District of Illinois

*Stephanie Haack v. Bridgestone/Firestone, Inc.*, C.A. No. 1:02-3248

MDL-1373 (Continued)

Southern District of Texas

*Richard E. Negri v. Bridgestone/Firestone North American Tire, LLC,*  
C.A. No. 4:02-551

*Ricardo Hernandez Castellanos, et al. v. Bridgestone Corp., et al.,* C.A. No. 5:02-38

MDL-1379 -- In re Literary Works in Electronic Databases Copyright Litigation

Oppositions of plaintiffs Auscape International, et al., Co-Lead Counsel for plaintiffs in MDL-1379 and certain defendants to transfer of the following action to the United States District Court for the Southern District of New York:

Central District of California

*Auscape International, et al. v. National Geographic Society, et al.,* C.A. No. 2:02-968

MDL-1382 -- In re Unitrin, Inc., Industrial Life Insurance Litigation

Opposition of plaintiffs Huey Thompson, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Mississippi

*Huey Thompson, et al. v. Union National Life Insurance Co., et al.,* C.A. No. 3:02-433

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Opposition of plaintiffs Velma Louis, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

*Velma Louis, et al. v. Life Insurance Co. of Georgia, et al.*, C.A. No. 4:02-93

MDL-1403 -- In re StarLink Corn Products Liability Litigation

Opposition of plaintiff Brian M. Shanle to transfer of the following action to the United States District Court for the Northern District of Illinois:

District of Nebraska

*Brian M. Shanle v. Aventis CropScience USA Holding, et al.*, C.A. No. 4:02-3080

MDL-1405 -- In re California Wholesale Electricity Antitrust Litigation

Opposition of MDL-1405 plaintiffs Pier 23 Restaurant; People of the State of California; Ruth Hendricks; Sweetwater Authority, et al.; Cruz M. Bustamante, et al.; and Pamela R. Gordon to transfer of the following actions to the United States District Court for the Southern District of California:

Eastern District of California

*RDJ Farms, Inc., et al. v. Allegheny Energy Supply Co., LLC, et al.*,  
C.A. No. 2:02-1254

MDL-1405 (Continued)

Northern District of California

*T&E Pastorino Nursery, et al. v. Duke Energy Trading & Marketing, LLC, et al.*,  
C.A. No. 3:02-2638  
*Century Theatres, Inc. v. Allegheny Energy Supply Co., LLC, et al.*,  
C.A. No. 3:02-2834  
*Bronco Don Holdings, LLP v. Duke Energy Trading & Marketing, LLC, et al.*,  
C.A. No. 3:02-2836  
*James M. Millar v. Allegheny Energy Supply Co., LLC, et al.*, C.A. No. 3:02-2855  
*El Super Burrito, Inc. v. Allegheny Energy Supply Co., LLC, et al.*,  
C.A. No. 4:02-2833  
*Leo's Day & Night Pharmacy v. Duke Energy Trading & Marketing, LLC, et al.*,  
C.A. No. 4:02-2837  
*J&M Karsant Family Limited Partnership v. Duke Energy Trading & Marketing, LLC,*  
*et al.*, C.A. No. 4:02-2839

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Northern District of Florida

*Richard M. Hartig, et al. v. Bayer Corp., et al.*, C.A. No. 3:02-170

Eastern District of Louisiana

*Willie Small v. Chattem, Inc., et al.*, C.A. No. 2:02-957  
*Donald Harris v. Whitehall-Robins Healthcare, et al.*, C.A. No. 2:02-998  
*Betty Lacey v. Bayer Corp., et al.*, C.A. No. 2:02-1007  
*Earl Register v. Bayer Corp., et al.*, C.A. No. 2:02-1013  
*Clara L. Earl v. GlaxoSmithKline PLC, et al.*, C.A. No. 2:02-1014  
*Wesley Magee v. GlaxoSmithKline PLC, et al.*, C.A. No. 2:02-1015  
*Willie Trask v. Schering-Plough Corp.*, C.A. No. 2:02-1039  
*Lawrence Thompson v. Bayer Corp., et al.*, C.A. No. 2:02-1384

MDL-1407 (Continued)

Middle District of Louisiana

*Vicky McCurley v. GlaxoSmithKline, et al.*, C.A. No. 3:02-323  
*Donna Ford v. Whitehall-Robins Healthcare., et al.*, C.A. No. 3:02-325  
*Billy Colvin v. GlaxoSmithKline, Inc., et al.*, C.A. No. 3:02-329

Western District of Louisiana

*Alma Johnson v. Bayer Corp., et al.*, C.A. No. 1:02-805  
*Lawrence Van Dyke v. Bayer Corp., et al.*, C.A. No. 2:02-600

Eastern District of Pennsylvania

*Marion Rose Leone v. Chattem, Inc., et al.*, C.A. No. 2:02-3218

District of South Carolina

*Jessie Flucker, et al. v. Bayer Corp., et al.*, C.A. No. 1:02-1936

Southern District of Texas

*Francisco Sanchez v. American Home Products Corp., et al.*, C.A. No. 1:02-66  
*Jose A. Gonzales, et al. v. American Home Products Corp., et al.*, C.A. No. 5:02-55  
*Carlota Bernal, et al. v. American Home Products Corp., et al.*, C.A. No. 7:02-139

Western District of Texas

*Miguel Valverde, et al. v. American Home Products Corp., et al.*, C.A. No. 3:02-137  
*Evangelina Rubio, et al. v. American Home Products Corp., et al.*, C.A. No. 3:02-140

MDL-1429 -- In re American General Life & Accident Insurance Co. Industrial Life Insurance  
Litigation

Opposition of plaintiffs Dollie M. Tate, et al., to transfer of the following action to the United States District Court for the District of South Carolina:

Northern District of Mississippi

*Dollie M. Tate, et al. v. American General Life & Accident Insurance Co., Inc., et al.*,  
C.A. No. 4:02-112

MDL-1431 -- In re Baycol Products Liability Litigation

Opposition of plaintiffs James Dickey, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Eastern District of Missouri

*James Dickey, et al. v. Bayer AG, et al.*, C.A. No. 4:02-762

MDL-1446 -- In re Enron Corp. Securities, Derivative & "ERISA" Litigation

Oppositions of plaintiffs and certain defendants to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Middle District of Alabama

*Sherrill Thomas v. Arthur Andersen, LLP*, C.A. No. 2:02-335

Northern District of California

*Terry A. Perrin, et al. v. Arthur Andersen, LLP, et al.*, C.A. No. 3:02-1533



MDL-1446 (Continued)

Southern District of New York

*Peter A. Pfau, et al. v. Eugene H. Lockhart, et al.*, C.A. No. 7:02-1550  
*Irvin Solomon v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-1763  
*Dorina Miller v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-1876  
*Lisa A. Weber v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-1977  
*Jack A. Halpren v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-2268  
*Victor Parker v. Newpower Holdings, Inc., et al.*, C.A. No. 7:02-2360  
*Patricia O'Donoghue, et al. v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-2701  
*Christophe J. Amon v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-2798  
*Rosalyn M. Haratz v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-2829  
*Paul E. Tag v. H. Eugene Lockhart, et al.*, C.A. No. 7:02-3025  
*Manisha Patel v. Newpower Holdings, Inc., et al.*, C.A. No. 7:02-3170

District of Oregon

*Wai Chinn v. Robert A. Belfer, et al.*, C.A. No. 3:02-131  
*Mildred Spector v. Kenneth L. Lay, et al.*, C.A. No. 3:02-394

Western District of Texas

*David Jose, et al. v. Arthur Anderson, LLP, et al.*, C.A. No. 5:02-187

MDL-1448 -- In re Air Crash at Belle Harbor, New York, on November 12, 2001

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Northern District of Texas

*Guarionex Santana Cabral, et al. v. American Airlines, Inc.*, C.A. No. 3:02-1234  
*Edgar Perez v. American Airlines, Inc.*, C.A. No. 3:02-1235

MDL-1448 (Continued)

Southern District of Texas

*Seberiano Pion-Guerrero, etc. v. American Airlines, Inc.*, C.A. No. 7:02-182  
*Fredisvinda Pardilla Santana, etc. v. American Airlines, Inc.*, C.A. No. 7:02-183  
*Julia Altagracia Quiroz-Acevedo, et al. v. American Airlines, Inc.*, C.A. No. 7:02-184  
*Zoila Rodriguez, etc. v. American Airlines, Inc.*, C.A. No. 7:02-185  
*Lorenzo Ruiz, et al. v. American Airlines, Inc.*, C.A. No. 7:02-186  
*Aristoteles Savinon, et al. v. American Airlines, Inc.*, C.A. No. 7:02-187  
*Fremio Suazo, etc. v. American Airlines, Inc.*, C.A. No. 7:02-188  
*Santa Maribel Cabrera-Rosario, etc. v. American Airlines, Inc.*, C.A. No. 7:02-189  
*Robert A. Cabrera, Sr., et al. v. American Airlines, Inc.*, C.A. No. 7:02-190  
*Nicholas Celestino, et al. v. American Airlines, Inc.*, C.A. No. 7:02-191  
*Miguel Cuevas, etc. v. American Airlines, Inc.*, C.A. No. 7:02-192  
*Nicholas Martinez, etc. v. American Airlines, Inc.*, C.A. No. 7:02-193  
*Bruno Jimenez, etc. v. American Airlines, Inc.*, C.A. No. 7:02-194  
*Ines Marina Matos Nova, etc. v. American Airlines, Inc.*, C.A. No. 7:02-195

MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

Oppositions of plaintiffs State of Montana, etc., and State of Nevada to transfer of their respective following actions to the United States District Court for the District of Massachusetts:

District of Montana

*State of Montana, etc. v. Abbott Laboratories, et al.*, C.A. No. 6:02-9

District of Nevada

*State of Nevada v. Abbott Laboratories, Inc., et al.*, C.A. No. 3:02-80  
*State of Nevada v. American Home Products Corp., et al.*, C.A. No. 3:02-202

## PROCEDURES FOR ORAL ARGUMENT BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

## RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.